

## REMARKS

Applicant respectfully submits, for the Examiner's consideration, amended claims 23-26 to provide further distinction regarding the claimed present invention in view of the prior art of record. As claimed, the content server is an external content server, such as "a commercially available server coupled via an internet, a local resident server via an intranet, a commercial application server such as a banking system, or any other suitable content server," as described in the originally filed specification.

The present claimed invention provides for distributed speech recognition and accessing an external content server in response to a recognized audio command. As illustrated in, among other places, FIGS. 3 and 4, the content server allows for an end user to retrieve encoded information from a server external to the terminal 2002 and external to the network element 204. For example, a user may enter a weather request command, whereupon an external weather database may be accessed to retrieve weather information for a particular city. The claimed invention provides for a highly scalable processing system allowing for the distribution of content information across multiple platforms and reducing processing and memory overhead requirements in other multi-functional components (e.g. terminal 202 and network element 204).

Previously pending claims stood rejected in view of, *inter alia*, Published U.S. Patent Application US20002/0091518 A1 ("Baruch"), to which Applicant respectfully maintains the traverse of this rejection. For the sake of brevity, Applicant respectfully resubmits the position offered in the After Final response and further submit that disclosure of Baruch fails to disclose the content server being external, but rather merely discloses having the ability to recognize different types of commands, e.g. MESSAGES, CALENDAR, TO DO, MEMO, etc.

While Applicant appreciates the Examiner's broad interpretation of the teachings of Baruch, it is respectfully submitted that Baruch does not enable any functionality of these commands and further does not teach or suggest accessing an external server. Rather, it is submitted that Baruch teaches, *inter alia*, accessing a database of specific

commands that are more likely to be spoken based on the type of operating command. See final sentence of Para. 49). Furthermore, Applicant submits that Baruch is a publication and not an issued U.S. Patent, therefore there does exist any presumption of enablement and/or validity in the disclosure of the publication. As such, while Applicant appreciates the Examiner interpretation of the teachings of Baruch, should the Examiner maintain the present rejection, Applicant respectfully requests a showing, including column and line numbers, of where Baruch specifically discloses the enablement of accessing an external content server. It is submitted that Baruch currently indicates the concept of accessing different databases of recognition commands (and/or available languages) that are likely to be spoken, but fails to enable any disclosure beyond this concept and further fails to enable, *inter alia*, accessing an external content server.

Therefore, it is submitted that the presently claimed invention is patentable in view of the recited prior art and passage of the currently pending claims to issuance is respectfully requested.

Accordingly, Applicant respectfully submits that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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